

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

vs.

SAHIL PATEL

Case No. 14 CR. 158 AKH

NOTICE TO THE COURT

COMES NOW SAHIL PATEL, herein After PATEL, respectfully submits this notice to the Court , this 12 day of March 2021.

PATEL provides to the honorable Court a further update in terms of sequence of events which have transpired since the Honorable Judge Hellerstein issued order of temporary Furlough, dated March 7, 2021. Judge Hellerstein in his order stated " There is a religious obligation involved, which has not been properly respected. PATEL should be allowed as a matter of his religious obligation under the Hindu Religion, to attend to the Cremation of his Father". There were three conditions attached to the Furlough two within the care, control of the BOP with Regards to arrangements and one with respects to PATEL's Family ability to postpone the cremation ceremony. PATEL fullfilled the Condition in which he had an obligation and notified the Courts of S.D.N.Y and M.D.PA. Further ordered was a directive of the court to a AUSA Adams, to properly notify the Warden and counsel of Moshannon Valley Correctional Institution.

On March 11 2021, PATEL received a copy of a AUSA Adams letter to the honorable Judge Hellerstein, whereby the AUSA confirmed he has transmitted the order of Furlough to Moshannon Valley CI. However,

the AUSA in the letter dated March 8, 2021, further goes on to implore the Honorable Court to Vacate the Order, based on lack of Jurisdiction. It is noted your Honorable Court's response in timely manner stating specifically " My order of March 7 2021 shall remain effective until that Court asserts Jurisdiction" . That Court referring to the Middle District of Pennsylvania. PATEL makes aware to the Court his numerous attempts to reach the M.D.PA, specifically Judge John Jones III with no response or no decision with respect to Jurisdiction question. PATEL's only goal with his initial motion was to attend the cremation of his beloved father and complete the rituals bestowed upon him by his religious beliefs and traditions. Chasing after Jurisdiction was not to be part of the grieving process. PATEL is humbled and grateful to the honorable Judge Hellerstein for granting his order. His only thoughts should be on his beloved Mother, Family, late Father and reconciling how to cope and endure with these tragic events not just in a normal circumstance but coupled with the extra ordinary circumstances of incarceration. PATEL has faced challenging times in the Past 12 months, specifically the COVID 19 extreme , harsh, lockdown situation at Moshannon Valley Correctional Institute. During these 12 months, PATEL has been denied the access to Family visits, has endured hardship by being locked in a overcrowded dormitory with 76 other inmates where not only COVID 19 viral outbreak plagued the POD but was also compounded with other contagious viral outbreaks of varicella, measles, scabies and Tuberculosis , TB. Needless to say PATEL's life was at risk and still is. The psychological impact of facing your own mortality is a great burden on PATEL's shoulders. The court is well aware

of PATEL's fragile psychological condition. It is well noted in his prison records. The addition of the death of PATEL's father has been extremely hard to bear. PATEL does not have access to leave the housing Unit, in order to grieve in Private. PATEL has done everything humanly possible that is in his control however has been met with intended opposition for his compassionate plea of furlough with the exception of your Honor. Details as follows :

1. PATEL immediately notified GEO Moshannon Valley as is what he understands the protocol to be, of the passing of his Father. This was done through a personal conversation with PATEL's case manager and written notification to the Warden, February 28, 2021.
2. PATEL was told by the Case Manager that his request would be denied as GEO takes such orders from the BOP.
3. The Warden responded with a denial stating that "historically these requests are not granted to sentenced Alien Inmates."
4. To date the Facility Chaplain has not come to see PATEL, even though that was promised to PATEL.
5. There has been no concessions made to provide PATEL any private space to conduct any religious ritual prayer or grief.
6. As the Court is aware, the Warden and GEO have been notified of the order for furlough but has done nothing to act upon it.
7. The Warden's denial response also stated the time to submit and approve does not meet any circumstances.
8. The AUSA's blatant attempts to undermine the Court's order and authority was evident by his misdirection of claim of lack of jurisdiction.

PATEL would like to note for the court records the irreparable damage this has cost.

1. PATEL cannot wait any further for the furlough to "play out" as despite even with the court order of approval the endless bureaucracy between GEO and the AUSA the practical time for PATEL to make a decision in the best interest of his family has come. The fact of the matter is :

a. The Crematorium will only accomodate the deceased for 15 days as per policy.

b. In the Hindu religion while conducting nightly rituals the family also engages in a fast from the time of deceased passing until the cremation. PATEL's family especially his diabetic mother who requires nutrition every two hours cannot sustain any further delays.

c. PATEL has promptly notified the M.D.PA of the above facts.

To this end PATEL has reluctantly conceded the fact he will not be able to fullfill his religious and Family obligations and thus has instructed the family to proceed with the cremation which will eventually take place on Friday March 12, 2021.

In PATEL's culture this brands him with a social stigma for life.

The mental stress that this event has placed on PATEL is immesurable.

SUMMARY

PATEL reiterates his sincere appreciation for your honorable Court in granting the motion for furlough. Though the order was not carried out much to PATEL's dismay, wishes and his dutiful obligations as a son and practising Hindu, PATEL finds no fault in the court. BUT is very disheartened and has been left with an unfillable void in his heart and in his spiritual being.

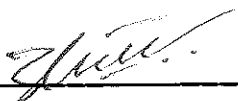
The only remaining ritual left for PATEL to fulfill is the final rite of passage which entails scatter the Ashes in the Ganges and Native Village in India.

No person whether incarcerated or not should be subject to the emotional and psychological roller coaster that PATEL has endured.

PATEL ends this notice with a simple statement and request :

I have no knowledge of which Jurisdiction I fall under nor who makes such a decision. As of March 7th, 2021, I felt that Honorable Judge Hellerstein's decision was the only one that favored to my religious beliefs. The only thing left for me to do is to put my Father's soul to rest, I hope this Honorable court finds a way in timely manner.

Very respectfully submitted March 12 2021

by:  _____

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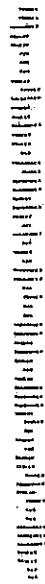
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